



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON, D.C. 20370-5100

TJR  
Docket No: 3285-00  
24 October 2000

[REDACTED]

Dear [REDACTED]:

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 17 October 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record, and applicable statutes, regulations, and policies.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found you enlisted in the Marine Corps on 13 January 1965 at the age of 17. Your record reflects that on 15 November 1966 you were convicted by summary court-martial (SCM) of a 25 day period unauthorized absence (UA) and wearing an unauthorized Purple Heart ribbon. You were sentenced to confinement at hard labor for 30 days, forfeitures totalling \$40, and reduction to paygrade E-2.

On 4 April 1967 you were convicted by SCM of a 29 day period of UA. You were sentenced to confinement at hard labor for a month, a \$35 forfeiture of pay, and reduction to paygrade E-1. On 26 April 1967 you received nonjudicial punishment (NJP) for failure to go to your appointed place of duty. The punishment imposed was a \$20 forfeiture of pay.

Your record further reflects that on 1 July 1968, after undergoing a medical evaluation, you were diagnosed with a schizoid personality and recommended for an administrative

separation by reason of unsuitability. Subsequently, you were notified of pending administrative separation action by reason of unsuitability due to the diagnosed schizoid personality. At this time you waived your rights to consult with legal counsel and to submit a statement in rebuttal to the discharge. Your commanding officer then recommended you be issued a general discharge by reason of unsuitability. The discharge authority approved this recommendation and directed your commanding officer to issue you a general discharge under honorable conditions. On 4 September 1968 you were so discharged.

Character of service is based, in part, on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. An average of 3.0 in conduct was required at the time of your separation for a fully honorable characterization of service. However, your record does not contain your conduct and overall trait averages.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity. However, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge given your frequent and lengthy periods of UA, which resulted in two court-martial convictions. The Board noted that your conduct marks are not included in your record. The Board concluded, however, that your marks would not have been sufficient for a fully honorable characterization given your periods of UA. The Board presumed, in the absence of the marks, that Marine Corps authorities properly computed your conduct average at the time of your discharge. Given all the circumstances of your case, the Board concluded your discharge was proper as issued and no change is warranted. Accordingly, your application has been denied.

The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records.

Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director